

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:14-CV-00238-FDW-DSC**

DOUGLAS R SMITH, et. al.,)
)
Plaintiffs,)
)
v.)
)
AVERY CHAPMAN, et. al.,)
)
Defendants.)

ORDER

THIS MATTER is before the Court on non-party Brian Eberhard's "Motion to Quash Subpoena ..." (document #60) and Defendants' "Motion ... to Quash Third Party Subpoena and for ... Protective Order" (document #65), as well the parties' briefs and submissions.

On or about March 20, 2015, Defendants served a Subpoena Duces Tecum on Eberhard. Following the filing of Eberhard's Motion to Quash, Defendants withdrew the Subpoena. Accordingly, Eberhard's Motion to Quash (document #60) is denied as moot.

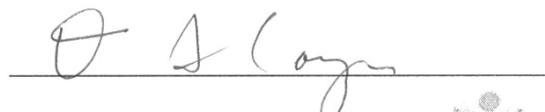
On April 6, 2015, Plaintiffs served a Subpoena Duces Tecum on non-party International Polo Club. For the reasons stated in Plaintiffs' brief (document #81), Defendants' Motion to Quash and for Protective Order (document #65) is denied.

The parties will bear their own expenses at this time.

The Clerk is directed to send copies of this Order to counsel of record; and to the Honorable Frank D. Whitney.

SO ORDERED.

Signed: May 11, 2015



David S. Cayer
United States Magistrate Judge
